

66884

Date: December 21, 2018

To: The Honorable Board of Acquisition and Contract

From: Joseph K. Spano  
Commissioner of Correction

Re: Authority to enter into a license agreement with Aramark Correctional Services, LLC to operate inmate commissaries for a term from January 1, 2019 through December 31, 2020, with the County's option to renew the agreement for up to three (3) one (1) year periods.

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Authority of your Honorable Board is requested for the County of Westchester ("County") to enter into a license agreement with Aramark Correctional Services, LLC ("Aramark") to operate inmate commissaries for a term from January 1, 2019 through December 31, 2020, with the County's option to renew the agreement for up to three (3) one (1) year periods. Under this agreement, Aramark will pay the County 39.6% of net sales on all commissary items except postage, stamped envelopes and indigent kits. All money paid to the County will go into the Inmate Welfare Trust Fund.

The County has worked with Aramark to reduce the commission of 45.6% under the current agreement and give the difference directly back to the inmates through strategic price reductions. Although the Aramark commissary prices are very competitive in the corrections space, we are in the process of reducing prices on several of the most popular commissary items. Doing so is another way for our agency to support the inmate rehabilitation process and at the same time bring us in line with the commission rate suggested by our oversight agency, the State Commission of Correction ("SCOC").

The Department of Corrections is able to report the following information from 2017:

- The average prison population was 1048 inmates per day.
- Inmates are allowed to purchase commissary items twice per week.
- The cost of these purchases totaled \$ 1,298,640.
- The County earned \$ 578,734 commission on these sales.
- The commission earnings were deposited into the Inmate Welfare Trust Fund.

· The Inmate Welfare Trust Fund is used for the benefit of the inmates.

The goal and objective of this agreement is to provide and distribute commissary goods to be purchased by the inmates in the most professional and cost efficient manner possible. The commissary items should be known to be popular and generally acceptable to the inmates.

There will be a verifiable audit trail. Aramark will provide a commissary trust balance sheet that is maintained by the Department of Correction, and an inmate order history. Aramark will also provide a commissary sales report that itemizes each sale and confirms sales and related commissions.

A separate Resolution is being submitted to your Honorable Board this date to grant an exemption from the Westchester County Procurement Policy pursuant to Section 3(a)(xxi) thereof.

Accordingly, your favorable action on the annexed Resolution is most respectfully urged and recommended.

JKS/DLV/dv

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/10/2019 - NGA MARIJA SECRETARY

## RESOLUTION

Upon a communication from the Commissioner of Correction, be it hereby

**RESOLVED**, that the County of Westchester (“County”) is hereby authorized to enter into a license agreement with Aramark Correctional Services, LLC (“Aramark”) to operate inmate commissaries for a term from January 1, 2019 through December 31, 2020, with the County’s option to renew the agreement for up to three (3) one (1) year periods; and be it further

**RESOLVED**, under this agreement, Aramark shall pay the County 39.6% of net sales on all commissary items except postage, stamped envelopes and indigent kits. All money paid to the County shall go into the Inmate Welfare Trust Fund; and be it further

**RESOLVED**, that the County Executive or his duly appointed designee be, and hereby is, authorized to take such action and execute such documents as may be necessary and proper to effect the purposes hereof.

Account to be Charged/credited	Fund	Dept	Major Program, Program & Phase Or Unit	Object/ Sub Object	Trust Account	Dollars
	711	35	011	9856	T011	N/A

Budget Funding Year(s) 2019-2020 Start Date 01/01/2019 End Date 12/31/2020  
 (must match resolution)

Funding Source Tax Dollars \_\_\_\_\_  
 State Aid \_\_\_\_\_  
 \$ \_\_\_\_\_ Federal Aid \_\_\_\_\_  
 (must match resolution)  
 Other N/A

APPROVED BOARD OF ACQUISITION CONTRACT - 01/01/2019 J. J. MARIJAJ, SECRETARY